

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 17, 2009**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB1909** by Hinojosa (Relating to the establishment by the Texas Forensic Science Commission of a DNA laboratory audit program.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1909, As Introduced: a negative impact of (\$696,490) through the biennium ending August 31, 2011.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	(\$345,936)
2011	(\$350,554)
2012	(\$355,311)
2013	(\$360,210)
2014	(\$365,256)

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1
2010	(\$345,936)
2011	(\$350,554)
2012	(\$355,311)
2013	(\$360,210)
2014	(\$365,256)

Fiscal Year	Change in Number of State Employees from FY 2009
2010	2.0
2011	2.0
2012	2.0
2013	2.0
2014	2.0

**Fiscal Analysis**

Under provisions of the bill, the Texas Forensic Science Commission will establish a DNA laboratory audit program. The program must include an on-site review by experienced forensic DNA analysts of work recently performed by the DNA laboratory being audited, including an examination of any DNA record created by the laboratory and whether the laboratory followed all applicable quality control

steps in creating the record; and in circumstances determined by the commission by rule, an off-site retrospective reexamination of one or more DNA samples analyzed by the laboratory. The Texas Forensic Science Commission is housed at Sam Houston State University.

### **Methodology**

The Texas State University System has indicated that two FTEs, a DNA examiner, and an administrative assistant II, would need to be hired to implement provisions of the bill at a total cost for salaries and benefits of \$153,936 in fiscal year 2010 increasing to \$173,256 by fiscal year 2014 taking into account salaries increased over that time period.

The System also indicated that there are about 22 accredited DNA labs in Texas and travel costs associated with visiting the labs would cost approximately \$12,000 per year. Costs for retesting of samples and professional services tied to DNA samples being tested by independent labs on a contractual basis would cost \$180,000 per year.

### **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety, 758 Texas State University System

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